

REVIEWED

By Larisha Davis at 11:06 am, Jun 20, 2007

CLOSED, MEDIATION, PATENT

**U.S. District Court
District of Delaware (Wilmington)
CIVIL DOCKET FOR CASE #: 1:04-cv-00904-KAJ
Internal Use Only**

WC Heraeus GMBH & Co, et al v. Lynn, et al
Assigned to: Honorable Kent A. Jordan
Demand: \$0
Cause: 35:271 Patent Infringement

Date Filed: 07/27/2004
Date Terminated: 03/07/2006
Jury Demand: Plaintiff
Nature of Suit: 830 Patent
Jurisdiction: Federal Question

Plaintiff

W.C. Heraeus GMBH & Co. KG
a German corporation

represented by **Karen Jacobs Louden**
Morris, Nichols, Arsht & Tunnell
1201 North Market Street
P.O. Box 1347
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

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ATTORNEY TO BE NOTICED

Plaintiff

Heraeus Incorporated
a Delaware corporation

represented by **Karen Jacobs Louden**
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ATTORNEY TO BE NOTICED

Leslie A. Polizoti
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ATTORNEY TO BE NOTICED

V.

Defendant

Marjorie Joy Lynn
*as Personal Representative for the
Estate of David Mark Lynn and as
Trustee of the Mark and Marjorie Lynn
Revocable Trust*

represented by **Kevin M. Baird**
Womble Carlyle Sandridge & Rice,
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Pro Hac Vice
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ATTORNEY TO BE NOTICED

Defendant

Lynn Plasma Inc.
an Idaho corporation

represented by **Kevin M. Baird**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

NxEdge Inc.
a Delaware corporation

represented by **Kevin M. Baird**
(See above for address)
LEAD ATTORNEY
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ATTORNEY TO BE NOTICED

Defendant

NxEdge Inc of Boise
a Delaware corporation

represented by **Kevin M. Baird**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Counter Claimant

NxEdge Inc.

represented by **Kevin M. Baird**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Counter Defendant

W.C. Heraeus GMBH & Co. KG

represented by **Karen Jacobs Loudon**
(See above for address)
LEAD ATTORNEY
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Counter Defendant

Heraeus Incorporated

represented by **Karen Jacobs Loudon**
(See above for address)
LEAD ATTORNEY
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Counter Claimant

Marjorie Joy Lynn

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(See above for address)
LEAD ATTORNEY
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Counter Claimant

Lynn Plasma Inc.

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V.

Counter Defendant

W.C. Heraeus GMBH & Co. KG

represented by **Karen Jacobs Loudon**
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LEAD ATTORNEY
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Counter Defendant

Heraeus Incorporated

represented by **Karen Jacobs Louden**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Counter Claimant

NxEdge Inc.
a Delaware corporation

Counter Claimant

NxEdge Inc of Boise
a Delaware corporation

represented by **Kevin M. Baird**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.














Counter Defendant










W.C. Heraeus GMBH & Co. KG
a German corporation

Counter Defendant

Heraeus Incorporated
a Delaware corporation

| Date Filed | # | Docket Text |
|-------------------|----------|--|
| 07/27/2004 | 1 | COMPLAINT filed. Magistrate Consent Notice to Pltf. FILING FEE \$ 150.00 RECEIPT # 136575 (els) (Entered: 07/29/2004) |
| 07/27/2004 | | DEMAND for jury trial by WC Heraeus GMBH & Co, Heraeus Incorporated (els) (Entered: 07/29/2004) |
| 07/27/2004 | | SUMMONS(ES) issued for Marjorie Joy Lynn, Lynn Plasma Inc., NxEdge Inc. (els) (Entered: 07/29/2004) |
| 07/27/2004 | 2 | Disclosure Statement pursuant to Rule 7.1 by WC Heraeus GMBH & Co, Heraeus Incorporated (els) (Entered: 07/29/2004) |
| 07/27/2004 | 3 | Report to Commissioner of Patents and Trademarks. Exit original. RE: 6,375,815 B1 (els) (Entered: 07/29/2004) |
| 08/04/2004 | 4 | CASE assigned to Judge Kent A. Jordan . Notice to all parties. (rjb) (Entered: 08/04/2004) |
| 11/10/2004 | 5 | FIRST AMENDED COMPLAINT filed by WC Heraeus GMBH & Co, Heraeus Incorporated , amending [1-1] complaint (rwc) (Entered: 11/12/2004) |
| 11/12/2004 | 6 | Praecipe filed by WC Heraeus GMBH & Co, Heraeus Incorporated for issuance of Alias Summonses to Defts. (rwc) (Entered: 11/12/2004) |

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| | | 09/26/2005) |
| 09/26/2005 |  111 | NOTICE OF SERVICE of Plaintiffs' Second Supplemental Response To Nxedge's Interrogatory No. 9 by Heraeus Incorporated.(Louden, Karen) (Entered: 09/26/2005) |
| 09/28/2005 |  112 | SEALED Letter to Judge Jordan from Kevin M. Baird regarding Defendants' Interim Status Report. (Baird, Kevin) Modified on 9/29/2005 (rwc,). (Entered: 09/28/2005) |
| 09/28/2005 |  113 | SEALED STATUS REPORT by Heraeus Incorporated. (Attachments: # 1 Exhibit A under seal)(Louden, Karen) (Entered: 09/28/2005) |
| 09/29/2005 |  114 | REDACTED VERSION of 113 Status Report by Heraeus Incorporated. (Attachments: # 1 Exhibit A Under Seal)(Louden, Karen) (Entered: 09/29/2005) |
| 09/29/2005 |  115 | REDACTED VERSION of 112 Letter to Judge Jordan from Kevin M. Baird regarding Defendants' Interim Status Report by Marjorie Joy Lynn, Lynn Plasma Inc., NxEdge Inc., NxEdge Inc of Boise. (Baird, Kevin) (Entered: 09/29/2005) |
| 09/30/2005 |  116 | NOTICE OF SERVICE of the Lynn Defendants' Second Set of Requests for Production of Documents and Things to Heraeus by Marjorie Joy Lynn, Lynn Plasma Inc..(Baird, Kevin) (Entered: 09/30/2005) |
| 10/05/2005 |  117 | STENO NOTES for 10/4/05 filed by Court Reporter: B. Gaffigan. (Notes on file in Clerk's Office) (rwc,) (Entered: 10/06/2005) |
| 10/05/2005 |  | Minute Entry for proceedings held before Judge Kent A. Jordan : Status Teleconference held on 10/5/2005. (Court Reporter B. Gaffigan.) (rwc,) (Entered: 10/06/2005) |
| 10/06/2005 |  118 | TRANSCRIPT of teleconference held on 10/5/05 before Judge Jordan. Court Reporter: B. Gaffigan. (Transcript on file in Clerk's Office) (rwc,) (Entered: 10/06/2005) |
| 10/12/2005 |  119 | Joint STIPULATION TO EXTEND TIME Expert Deadlines to Initial F.R.C.P. 26(a)(2) of expert testimony on or before November 23, 2005 and Supplemental Expert Disclosures on or before December 23, 2005 - filed by W.C. Heraeus GMBH & Co. KG, Heraeus Incorporated. (Polizoti, Leslie) (Entered: 10/12/2005) |
| 10/12/2005 |  | SO ORDERED, re 119 Joint STIPULATION TO EXTEND Expert Deadlines . Signed by Judge Kent A. Jordan on 10/12/05. (rwc,) (Entered: 10/13/2005) |
| 10/18/2005 |  120 | MOTION for Pro Hac Vice Appearance of Attorney Michael R. O'Neill of McDermott Will & Emery LLP - filed by W.C. Heraeus GMBH & Co. KG, Heraeus Incorporated. (Polizoti, Leslie) (Entered: 10/18/2005) |
| 10/19/2005 |  121 | NOTICE OF SERVICE of Plaintiffs' Responses To Nxedge's Third Set Of Interrogatories (Nos. 47-49) by W.C. Heraeus GMBH & Co. KG, Heraeus Incorporated.(Polizoti, Leslie) (Entered: 10/19/2005) |
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| 01/05/2006 |  158 | NOTICE of Taking Videotaped Deposition Of Expert John Jarosz And Request For Production Of Documents by W.C. Heraeus GMBH & Co. KG, Heraeus Incorporated (Polizoti, Leslie) (Entered: 01/05/2006) |
| 01/09/2006 |  159 | Letter to The Honorable Kent A. Jordan from Leslie A. Polizoti regarding settlement. (Polizoti, Leslie) (Entered: 01/09/2006) |
| 01/18/2006 |  160 | Letter to Hon. Kent A. Jordan from Karen Jacobs Loudon regarding Technical Tutorial Hearing. (Louden, Karen) (Entered: 01/18/2006) |
| 01/19/2006 |  161 | (SEALED) - TRANSCRIPT of Tutorial Hearing held on 12/21/05 before Judge Jordan. Court Reporter: B. Gaffigan. (Transcript on file in Clerk's Office) (rwc,) Modified on 1/19/2006 (rwc,). (Entered: 01/19/2006) |
| 01/19/2006 |  162 | TRANSCRIPT of Tutorial Hearing held on 12/21/05 before Judge Jordan. Court Reporter: B. Gaffigan. (Transcript on file in Clerk's Office) (rwc,) (Entered: 01/19/2006) |
| 02/21/2006 |  163 | Letter to the Honorable Kent A. Jordan from Leslie A. Polizoti regarding expected date for finalization of settlement (March 3, 2006). (Polizoti, Leslie) (Entered: 02/21/2006) |
| 03/03/2006 |  164 | STIPULATION of Dismissal <i>JOINT STIPULATION AND ORDER OF DISMISSAL</i> by W.C. Heraeus GMBH & Co. KG, Heraeus Incorporated. (Polizoti, Leslie) (Entered: 03/03/2006) |
| 03/07/2006 |  165 | SO ORDERED, re 164 Stipulation of Dismissal filed by W.C. Heraeus GMBH & Co. KG, Heraeus Incorporated,, ***Civil Case Terminated. Signed by Judge Kent A. Jordan on 3/7/06. (rwc,) (Entered: 03/07/2006) |
| 03/07/2006 |  166 | Report to the Commissioner of Patents and Trademarks for Patent/Trademark Number(s) 6,375,815 B1; (Attachments: # 1 stipulation of dismissal) (rwc,) (Entered: 03/07/2006) |